

**DUBLIN  
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DISTRICT**



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Ms. Delores Brown  
Chief, Office of Environmental Compliance  
Department of Water Resources  
P.O. Box 942836  
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Ms. Patti Idlof  
Natural Resource Specialist  
Bureau of Reclamation  
2800 Cottage Way, MP-150  
Sacramento, CA 95825,

***Subject: Comments on NOP and NOI for the Bay Delta Conservation Plan EIR/EIS***

Dear Ms. Brown and Ms. Idlof,

The Dublin Dan Ramon Services District (DSRSD) submits this letter in response to the March 17, 2008 Notice of Preparation and Notice of Intent to prepare an Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) for the Bay Delta Conservation Plan (BDCP).

DSRSD provides retail water service to 15,522 accounts and an estimated 54,300 residents in the City of Dublin in Alameda County and the eastern portion of San Ramon in Contra Costa County. DSRSD has a contract with Zone 7 of Alameda County Flood Control and Water Conservation District (Zone 7) to provide 100 percent of the DSRSD retail treated water supply. Zone 7 is one of 29 State Water Project (SWP) contractors and currently imports approximately 80 percent of its water supplies from the SWP through the South Bay Aqueduct for treatment, storage, and recharge.

The Delta crisis is a critical issue facing California and needs to be addressed and corrected as soon as feasible. While many water agencies in California are impacted by the Delta crisis, the real pain is being felt by the citizens and communities that indirectly receive their water supply through the Delta, like those DSRSD serves. Uncertainty about the reliability of water supply has thrown the hard work of cities and other land use planning agencies into chaos, and is creating tremendous confusion and financial risk. Cities that have completed orderly and

financially sustaining development plans based upon adequate water supply are now placing those plans on hold pending a resolution of the crisis. A reduction in reliable water supply will leave portions of the development plans unfinished and, more importantly, the income from that development will not be available to pay the bond debt already incurred by the communities to construct the necessary infrastructure. The result may well be a significant financial problem for these communities and hardship on their citizens. The final irony is that very few of the impacted communities are directly represented in the many activities under way to address the Delta crisis. The voices of these cities and of millions of water ratepayers – the ultimate water consumers of Delta water – are generally not heard. The BDCP must make a special effort to reach those a step removed from the traditional water industry and actively engage those communities and citizens in this important process.

DSRSD fully supports the intentions of the BDCP – to secure authorizations that would allow the conservation of covered species, the restoration and protection of water supply reliability, protection of certain drinking water quality parameters, and the restoration of ecosystem health to proceed within a stable regulatory framework. However, BDCP is limited in scope only to actions within the legal Delta boundary, so it will not result in a long-term solution to the total California water supply crisis. Timely completion and implementation of the BDCP is critical to stabilize the available Delta supply for water users, land use planning agencies, conservation of listed species and their habitat, and to provide a sound scientific basis for comprehensive long-term California water supply solutions.

DSRSD believes that the following points are specific considerations that should be included in the forthcoming BDCP EIR/EIS:

- The analysis should include a component that is focused on identifying quick, near-term projects to immediately stabilize Delta water supply reliability and water quality, even if the projects are temporary in nature. One non-BDCP example of such a project is a proposal to construct facilities at Frank's Tract that would reduce salinity incursions into the central Delta and simultaneously benefit Delta smelt habitat. Projects of that nature will also provide valuable scientific data to support the long-term and permanent solutions that the analysis will cover. Immediate actions that can alleviate the potential damage from levee failure should also be included in this component, in an effort to provide greater protection for public safety and for the security of drinking water supplies as soon as possible.
- The analysis should also include projects that have the potential for providing means for diverting water from the Delta through adequately screened intakes at locations other than the existing Banks and Jones pumping plants; a non-BDCP example of such a project is the proposal to expand Los Vaqueros Reservoir and construct a pipeline from there to Bethany Reservoir, thereby adding a second manner of delivering water to the South Bay Aqueduct and simultaneously providing a fisheries benefit. A second example is the multi-agency desalination facility being studied for location in the brackish waters

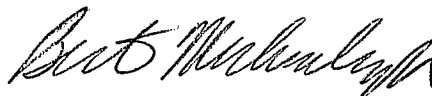
of the lower end of the Delta that could provide an alternative source of high-quality water for both M&I use as well as lower salinity water supply for agriculture that could result in a reduction in demand on the existing Central Valley Project and SWP Delta diversion facilities. A fisheries study is being finalized that validates that a "fish friendly" water supply is available in the brackish zone. In addition, two independent technical studies have been completed that estimate the cost and energy requirements of the brackish desalination to be only a third the cost of the ocean water desalination.

- The analysis should use best available and accepted/tested science. Scientific uncertainties should be documented and fully disclosed to the public.
- The EIR/EIS must equally and comprehensively consider water supply and conveyance, water quality (with particular emphasis on drinking water quality), and ecological restoration and management objectives and possible solutions.
- Identify the impacts and include options that encourage and provide incentives for significant statewide and/or regional improvements to local water conservation, surface water and groundwater management, water recycling and desalination.

Time is of the essence in proceeding with and completing and implementing the BDCP. Prudent coordination with other Delta planning efforts is imperative to ensure the BDCP is comprehensive and complete. However, stabilization of the Delta ecology while obtaining a firm and reliable near-term water supply, assuring safe drinking water quality, and providing a structured basis for evaluating the effect of improvements outside the Delta has to be accomplished as quickly as possible.

Thank you for this opportunity to comment on the BCDP EIR/EIS process.

Sincerely,



BERT MICHALCZYK  
General Manager

DAR/gl

cc: J. Duerig – General Manager, Zone 7 Water Agency